

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
February 4, 2008**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of the special minutes of January 28, 2008
 - B. Acceptance of the minutes of a Planning Commission meeting held January 10, 2008
 - C. Approval of nomination of Jeff Hewett to fill a vacancy on the Convention and Visitors' Bureau, which term will expire September of 2009
 - D. Approval of appointment of Kim Piper to fill a vacancy on the Convention and Visitors' Bureau, for a term of two years expiring September 2010
 - E. Approval of appointment of Richard (Jack) Keeling to the Broken Arrow Planning Commission to serve the remainder of the unexpired term of Renate Caldwell, whose term expires May 5, 2009
 - F. Approval of request for water and sewer service for a job trailer at Aspen Pond located on Aspen Avenue (145th E. Avenue) between Washington Avenue (91st Street) and New Orleans Avenue (101st Street)
 - G. Approval of and authorization to execute Budget Amendment No. 6 for Fiscal Year 2007-2008
 - H. Approval of and authorization to execute a Mutual Aid Agreement between the Broken Arrow Fire Department Emergency Medical Service and Muskogee County Emergency Medical Service
 - I. Approval of PT07-122, Conditional Final Plat of ATJ Industrial Park II, 7.52 acres, 1 lot, PT08-101, preliminary plat of Reserve at Bradford Park III, 26.12 acres, 45 lots, R-2, South of Jasper Street (131st Street), ½ mile east of 9th Street (Lynn Lane/177th E. Avenue)
 - J. Approval of PT07-125, Conditional Final Plat of ROC 3, 3.26 acres, 1 lot, C-5, one-eighth mile north of Kenosha Street (71st Street), one-third mile west of 23rd Street (County Line Road/193rd East Avenue)
 - K. Approval of PT07-126, Conditional Final Plat of Same Day Auto Repair, 0.52 acres, 1 lot, C-4, North of Kenosha Street (71st Street), one-quarter mile west of Elm Place (161st E. Avenue) at 912 W. Kenosha Street

- L. Approval of bids received and award the most advantageous bid to Fuel Managers, for gasoline and diesel fuel supply
- M. Acceptance of a Temporary Construction Easement from Armory LLC (S8 T18N R15E) (Project #ST0530)
- N. Acceptance of a Utility Easement from Broken Arrow Public School District #3 of Tulsa County (S2 T17N R14E) [Project: Ray Harrell Nature Center]
- O. Acceptance of a Utility Easement from Mary Ann Parks (S2 T17N R14E) [Project: 127th and 128th Street 6" waterline relocation]
- P. Acceptance a General Warranty Deed from Angus Acres Church Of Christ, Inc (S7 T18N R15E) (Project #ST0531)
- Q. Acceptance of a General Warranty Deed from Armory LLC (S8 T18N R15E) (Project #ST0530)
- R. Acceptance of a General Warranty Deed from Chester & Mary Lanning (S7 T18N R15E) (Project # ST0531)
- S. Acceptance of a General Warranty Deed from Perry & Leslie Neufeld (S7 T18N R15E) (Project #ST0531)
- T. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

- A. Presentation: Approval, authorization to execute, and presentation of Proclamations recognizing First Baptist Church Broken Arrow, Broken Arrow Assembly, Rhema Bible Church, The Church at Battle Creek, Arrow Heights Baptist Church, Immanuel Lutheran Church, First United Methodist Church, St. Benedicts Catholic Church, Clearview Baptist Church, and Cedar Ridge Christian Church for their contribution of labor and equipment during the City's debris pick-up from the December 2007 ice storm
- B. Presentation: Approval, authorization to execute, and presentation of a Proclamation declaring February 12, 2008 Shriner's Hospital for Children "IHOP's National Pancake Day" in the City of Broken Arrow
- C. Presentation: 2007 Oklahoma Municipal League Service Awards

8. Citizens' Opportunity to Address the Council (approximately 7:00 p.m.)

9. General Council Business

- A. Consideration and possible approval of PUD 186 and BAZ 1794, Laynee's Way, 9.40 acres, 1 lot, A-1 to C-5 and IS, one-quarter mile north of the Broken Arrow Expressway, west of 9th Street (Lynn Lane/177th East Avenue)
- B. Consideration, possible approval of and authorization to execute Resolution No. 503 - a Resolution of Necessity to condemn property located at 17615 East 101st Street, Broken Arrow, Tulsa County, Oklahoma

- C. Consideration, possible approval of and authorization to execute Resolution No. 504 - a Resolution of Necessity to condemn property located at 301 East New Orleans Street, Broken Arrow, Tulsa County, Oklahoma
- D. Consideration, possible approval of and authorization to execute Resolution No. 505 - a resolution changing the dates of the Broken Arrow City Council Meetings from the first and third Mondays of each month to the first and third Tuesdays of each month, amending the Planning calendar and providing for notice thereof
- E. Consideration, possible approval of and authorization to execute Resolution No. 507 - a resolution requesting the Oklahoma Turnpike Authority to perform a feasibility study, cost estimate and analysis for the design and construction of an on and off ramp interchange at Aspen Avenue and the Creek Turnpike in Broken Arrow
- F. Consideration and possible approval of nominations to fill a vacancy on the Board of Adjustment created by the resignation of Richard (Jack) Keeling, whose term expires May 5, 2009
- G. Consideration, possible approval of and authorization to execute an Agreement between the City of Broken Arrow and Auburndale-Halifax Broken Arrow, LLC and Broken Arrow Improvement Company, for the construction of public infrastructure within a 65-acre site located east of 9th Street (Lynn Lane) along Hillside Drive at The Shops At Broken Arrow
- H. Consideration, possible approval of and authorization to execute an Excess Sewer Capacity Improvement Agreement between the City and Model Properties Incorporated, for an excess sanitary sewer improvement to an 80-acre site located between Aspen Avenue (145th E. Avenue) and Olive Street (129th E. Avenue) south of Tucson Street (121st Street)
- I. Consideration, possible approval of, and authorization to execute the Vision 2025 Amendment to Capital Improvements Agreements

10. City Manager's Report

- A. Health Fair Screening Results

11. Preview Ordinances

- A. None

12. Ordinances

- A. Ordinance No. 2950 - an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1721, granting PUD 171 and an R-2S zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. Ordinance No. 2951 - an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1749, granting PUD 174 and an C-5 zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. Ordinance No. 2952 - an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving PUD 44G and PUD 44H zoning classifications to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- D. Ordinance No. 2953 - an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1638 and PUD 153 granting R-3 zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E. Ordinance No. 2954 - an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving PUD 142 zoning classifications to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F. Ordinance No. 2955 - an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1721, granting PUD 171B and an R-2S zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G. Ordinance No. 2956 - an ordinance amending the Broken Arrow Code, Section 2-511 establishing the Planning Commission; repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- H. Ordinance No. 2957 - an ordinance amending the Broken Arrow Code, Article XIV, Sections 2-211 and 2-212, Broken Arrow Convention and Visitors' Bureau; Repealing all ordinances to the contrary; and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning the purchase and appraisal of approximately 80 acres of real property located north of Kenosha between North 27th Street and North 31st Street under 25 O.S §307(B)(3); and Greg Neely v. City of Broken Arrow; under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2008, at _____ a.m./p.m.

City Clerk